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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Confirmation No. 8232  
Keith A. Miesel  
Serial No.: 10/825,964  
Filed: April 15, 2004 Customer No.: 28863  
Examiner: Unknown  
Group Art Unit: 3736  
Docket No.: 1023-360US01  
Title: DETECTING SLEEP

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on September 21, 2005.

By: Shirley A. Betlach  
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This statement is being filed, to the best of Applicant's knowledge, before the receipt of a first Office Action on the merits.

Applicant has enclosed a copy of each foreign document cited. Copies of the U.S. patents are not enclosed as this requirement has been waived by the U.S. Patent Office.

Respectfully submitted,

Date: 21 SEPTEMBER 2005

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<b>Form 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 1023-360US01	Application Number: 10/825,964
	Applicant: Kenneth T. Heruth; Keith A. Miesel	
	Filing Date: April 15, 2004	Group Art Unit: 3736
	Examiner Name: Unknown	



### U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
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	6,539,249 B1	03/25/2003	Kadhiresan et al.	
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### FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No
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	DE 100 24 103	11/29/2001	Germany		
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	WO 2005/035050	04/21/2005	PCT		

### OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)


**EXAMINER****Date Considered**

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820  
(Also form PTO-1449)

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